

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

In re

RIO PIEDRAS EXPLOSION  
LITIGATION

Civil No. 96-2443(JAF)

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U.S. DISTRICT COURT  
SAN JUAN, P.R.

| ORDER  |   |
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| MOTION   | RULING  |
| <p><b>Docket No. 3655</b></p> <p>Motion by Antonio Pacheco to Request Return of Certain Fees</p> | <p>In December 2002 plaintiff Antonio Pacheco-Figueroa complained about the conduct of his attorney Nelson Rochet. Reportedly, Attorney Rochet kept the settlement fund awarded to him (\$18,228) and had refused to deliver the payment check. Plaintiff also challenges the deduction made to cover for litigation expenses and a \$124 fee demanded to enable delivery of the settlement funds.</p> <p>Attorney Rochet is <b>GRANTED</b> a <b>ten (10) day term</b> to provide any available data within his records reflecting whether Pacheco-Figueroa has received the settlement funds awarded.</p> <p>The Clerk of Court will serve copy of this Order on plaintiff Pacheco-Figueroa who is requested to submit, <b>within the next ten (10) days</b>, information on whether he has already received payment of the settlement funds awarded.</p>                              |
| <p><b>Docket No. 3703</b></p> <p>Motion for Disbursement of Funds</p>                            | <p><b>NOTED.</b> The firm of "Cardona Irizarry Group" is placed on notice that as of September 2, 2004, all bank accounts under the custody of Banco Santander were reconciled. A final determination was also made as of September 2, 2004, regarding the total amounts deducted for payment of litigation expenses and attorney's fee of Attorney Nelson Rochet. (These deductions were made to the last small group of plaintiffs that were being paid the settlement amounts. However, rather than having said amounts paid and delivered to Attorney Rochet – as in previous cases – at the time District Judge Robert J. Ward certified Attorney Rochet's actions for investigation, the monies were consigned with the Clerk of Court.)</p> <p>Any request for immediate disbursement of the 50% of the funds consigned at the Clerk of Court is at this time <b>DENIED.</b></p> |

| <b>ORDER</b>   |   |
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| <b>Docket No. 3707</b><br><br>Motion by the Heirs of the Estate of Catalino Díaz   | <p>The heirs of Catalino Díaz request to be provided with copy of the attorney-fee contract, if any, signed with Attorney Peter Satz.</p> <p>Within the Court records there is no copy of such contract. The request for disclosure of copy of such contract must be addressed to Attorney Satz.</p> <p>The Clerk of Court will serve upon Attorney Satz copy of this Order. Were this contract to exist, Attorney Satz will provide copy of the same <b>within the next five (5) days</b>.</p> |
| <b>Docket No. 3710</b><br><br>Motion Requesting Money Deposited With Banco Santander be Turned Over to the Trustee (by John Zerbee, Trustee) | <p><i>Granted.</i></p> <p>See Conference Report dated September 20, 2004, disposing of matter.</p>  |
| <b>Docket No. 3713</b><br><br>Motion for Disbursement of Funds (by plaintiff Encarnación)  | <p><b>MOOT.</b> Plaintiff Yarachelli Encarnación requests disbursement of funds allocated to her as per the settlement agreement. The record reflects that the settlement amounts awarded to plaintiff Encarnación were paid on February 19, 2003. Deductions were made to provide for payment of attorney's fees (\$2,464.00) and expenses (\$2,126.00).</p>   |
| <b>Docket No. 3716</b><br><br>Motion Withdrawing Legal Representation (by Attorney Velázquez-Villares)                                       | <p><b>NOTED</b> and leave to withdraw is <b>GRANTED</b> to Attorney Velázquez-Villares. Since the case remains within the same law firm, Cobián &amp; Valle remain responsible for complying with any Order and/or schedule issued by the Court.</p>  |
| <b>Docket No. 3725</b><br><br>Motion in Compliance With Order (by CPA Sánchez-Moll)  | <p><b>NOTED.</b></p>  |
| <b>Docket No. 3726</b><br><br>Informative Motion in Compliance With Order (by CPA Sánchez-Moll)  | <p><b>NOTED.</b></p>  |

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| <b>ORDER</b>  |  |
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| <b>Docket No. 3728</b><br>Informative Motion (by defendants)  | <b>NOTED.</b> This motion was discussed at the conferences held in August 4 and September 2, 2004.   |
| <b>Docket No. 3735</b><br>Motion for Reimbursement of Assessments<br>(by Attorney Piñeiro-Soler)  | <b>GRANTED.</b> Considering that this motion was timely filed, CPA Sánchez-Moll is authorized to proceed to reimburse the initial assessment fee. <i>See</i> Order and Reports of August and September 2004. |
| <b>Docket No. 3736</b><br>Motion Informing Compliance with Magistrate Delgado's Order/Motion Notifying . . . Copies of Judicial Resolution (by Attorney Rochet-Santoro) | <b>NOTED.</b> Information provided herein was discussed and considered by all parties at the conference held on August 4 and September 2, 2004.  |
| <b>Docket No. 3737</b><br>Motion for Leave to Submit Settlement Proposal Under Seal (by Plaintiffs' Steering Committee)   | <b>GRANTED.</b>  |
| <b>Docket No. 3838</b><br>Submission of Settlement Proposal Under Seal (by Plaintiffs' Steering Committee)  | <b>NOTED</b> and <b>RECOMMENDED</b> for approval.  |
| <b>Docket No. 3739</b><br>Informative Motion Submitting Settlement Proposal Under Seal (by Plaintiffs' Steering Committee)  | <b>NOTED.</b> Issues raised herein were discussed at the September 2, 2004 conference. The parties' stipulation is endorsed and the Court is recommended to adopt the same.                                  |

SO ORDERED.

DATE: September 20, 2004

*Saida M. Delgado-Colon*  
SAIDA M. DELGADO-COLON  
U.S. Magistrate-Judge